

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY SECOND DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE P.S.NARAYANA

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WRIT PETITION NO : 11767 of 1997

Between:

Thanda Durgappa S/o Hanumanthappa
Apilepalli Village , Kundurpi Mandal ,
Ananthapur District.

..... PETITIONER

AND

1. The Mandal Revenue Officer , Kundurpi, Ananthapur
2. The District Collector , Anantapur .

....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue a writ of mandamus declaring the action of the 1st respondent in evicting the petitioner from the land in S.No. 79-2B/3 to an extent of 1.00 acre situated at Apilepalli village, Kundurpi Mandal, Anantapur as illegal, improper , unjust and contrary to law and further direct the 1st respondent to assign the said land to the petitioner duly recognising the rights as S.J dar

Counsel for the Petitioner: MR.K.G.KRISHNA MURTHY

Counsel for the Respondents.: GP FOR REVENUE

The Court made the following :

ORDER:

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The present Writ Petition is filed to issue a writ or order or direction more particularly a writ of mandamus declaring the action of the first respondent in evicting the petitioner from the land in

Sy.No.79-2B/3 to an extent of 1.00 acre situated at Apilepalli village, Kundurpi mandal, Anantapur District as illegal, improper, unjust and contrary to law and also direct the first respondent to assign the said land to the petitioner duly recognizing his rights as S.J.Dar and pass such other suitable orders.

2. It is stated that the petitioner has been in possession and enjoyment of the property for more than 30 years and the petitioner has been making representations to the first respondent for grant of assignment of the said land and the same is still pending. It is also stated that without following any procedure and without issuing any notice, the possession of the petitioner is being disturbed. The respondents are hereby directed not to disturb the possession of the petitioner except by following the procedure.

3. With the above observation, the Writ Petition is disposed of. No costs.

Dated:22-12-2004. **P.S. NARAYANA, J**

Ccm

To

1. The Mandal Revenue Officer , Kundurpi, Ananthapur
2. The District Collector , Anantapur .
3. 2 CCs to GP for Revenue, High court Buildings, Hyderabad (OUT)
4. 2 CD copies.